

Appendix F

Meghan Carfio/USFWS



Nature trail bordering the tidal swamp forest

Summary of Public Comments and Service Responses on the Draft Comprehensive Conservation Plan and Environmental Assessment for Presquile National Wildlife Refuge

Introduction

In 2012, the U.S. Fish and Wildlife Service (Service, we, our) completed the draft Comprehensive Conservation Plan and Environmental Assessment (draft CCP/EA) for Presquile National Wildlife Refuge (Presquile NWR, the refuge). The draft CCP/EA outlines two alternatives for managing the refuge. Alternative B is identified as the “Service-preferred alternative.”

We released the draft CCP/EA for 37 days of public review and comment from August 2 to September 7, 2012. We held three public open house meetings to present the alternatives evaluated in the draft CCP/EA. On August 7, 2012, we hosted an evening meeting (6 p.m. to 8 p.m.) that was attended by nine people. On August 8, 2012, 13 people attended our afternoon session (2 p.m. to 4 p.m.) and 2 people attended the evening session (6 p.m. to 8 p.m.). We evaluated all the letters and emails sent to us during that comment period, along with comments recorded at our public meeting. This document summarizes all of the substantive comments we received and provides our responses to them.

Based on our analysis in the draft CCP/EA and our evaluation of comments received on that document, we determined that no modifications to the Service-preferred alternative (alternative B) as originally presented in the draft CCP/EA were necessary, and it has been recommended to our Regional Director for implementation as the final CCP. We have determined that publishing a revised or amended draft CCP/EA is not warranted, and we have submitted the final CCP to our Regional Director for approval.

Non-substantive changes we made in the final CCP are:

1. Minor corrections of fact that do not alter the conclusions drawn from their analysis.
2. Minor updates of information to improve readability or clarity.
3. Minor formatting and typographical errors that were brought to our attention.

Our Regional Director will select one of the following for our final CCP:

- Our modified alternative B.
- One of the other alternatives analyzed in the draft CCP/EA.
- A combination of actions from among the alternatives analyzed in the draft CCP/EA.

The Regional Director will also determine whether a Finding of No Significant Impact (FONSI) is justified prior to finalizing the decision. The decision will be made after:

- Reviewing all the comments received on the draft CCP/EA and our responses to those comments.
- Affirming that the CCP actions:
 - * Support the purpose and need for the CCP
 - * Support the purposes for which the refuges were established.
 - * Help fulfill the mission of the National Wildlife Refuge System.
 - * Comply with all legal and policy mandates.
 - * Best work toward achieving each refuge’s vision and goals.

At the same time we release an approved final CCP, we will publish a notice of the availability in the Federal Register. That notice will complete the planning phase of the CCP process, and we can begin implementing the plan.

Summary of Comments Received

After the comment period ended on September 7, 2012, we compiled all of the comments we received, including all letters, emails, and comments recorded at public meetings. In total, we received 19 written responses that included a total of 81 individual comments.

We received a consolidated letter compiled by the Virginia Department of Environmental Quality which included comments from the State agencies and regional planning district commission listed below:

- Chesterfield County
- Richmond Regional Planning District Commission
- Virginia Department of Agriculture and Consumer Services
- Virginia Department of Conservation and Recreation (VDCR)
- Virginia Department of Environmental Quality (VDEQ)
- Virginia Department of Forestry
- Virginia Department of Game and Inland Fisheries (VDGIF)
- Virginia Department of Health (VDH)
- Virginia Department of Historic Resources (VDHR)
- Virginia Marine Resources Commission (VMRC)

We also received comments signed by representatives from the following government agencies and conservation organizations:

- Henrico County Planning Department
- Defenders of Wildlife
- Old Dominion Appalachian Trail Club (ODATC)
- National Park Service, Chesapeake Bay Office

In the discussions below, we address and respond to every substantive comment we received. Substantive comments are those that suggest our analysis is flawed in a specific way. Generally substantive comments:

- Challenge the accuracy of information presented.
- Challenge the adequacy, methodology, or assumptions of the environmental or social analysis and supporting rationale.
- Present new information relevant to the analysis.
- Present reasonable alternatives, including mitigation, other than those presented in the document.

Our discussion does not include responses to any comments we determined to be non-substantive. For example, there were people who wrote us to thank us for hosting the public meetings, tell us that they thought the document was well written, or request copies of the draft CCP/EA.

In order to facilitate our responses, we group similar comments together and organize them by subject heading. Directly beneath each subject heading, you will also see a list of unique letter identification (ID) numbers. Table F.1 at the end of this appendix relates each letter ID number to the name of the individual, agency, or organization that submitted the comment. Responses to multiple, but similar or related comments, are consolidated to reduce duplication and are labeled as “Consolidated Responses.”

In several instances, we refer to specific text in the draft CCP/EA and indicate how the final CCP was changed in response to comments. The full versions of both the draft CCP/EA and the final CCP are available online at: <http://www.fws.gov/northeast/planning/presquile/ccphome.html>. For a CD-ROM or a print copy of either plan, please contact:

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Service Responses to Comments by Subject

Planning

Document (Clarity, Technical, Editorial, Availability of Document on Web site)

Letter ID#: 16

Comment: “Upon review of the demographic data provided in Table 2.4 (page 2-13), Henrico County concurs with the population, median age and population change information; however, based on the County’s land mass of 244 square miles, the population density would equal 1,257 people per square mile.”

Response: We appreciate Henrico County’s correction on the population density calculation. We referenced table “G001-GEOGRAPHIC IDENTIFIERS: 2005-2009 American Community Survey 5-Year Estimates” for Henrico County acreage to calculate population density (http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_09_5YR_G001&prodType=table). We have updated the population density in table 3.4 and included a note indicating Henrico County provided the population density value.

Letter ID#: 16

Comment: “In the Land Use section on page 2-14, Henrico County wishes to provide clarification on several issues. We do not have existing land use categories of “wetlands, agriculture or forested lands.” For the area within a 5-mile radius of Presquile, the appropriate existing land uses would include the following: Residential (Single Family, Single Family Acreage, and Assisted Living), Commercial, Light Industrial, Open Space-Recreation, Public, Semi-Public, Public Service Corporation, and Vacant.

In the Land Use section on page 2-14, Henrico County wishes to provide clarification on the 2026 Comprehensive Plan future land uses proposed within the area. For the same 5-mile radius, the appropriate future land uses would include the following: Environmental Protection Area, Open Space/Recreation, Prime Agriculture, Rural Residential, Suburban Residential 1, Office, Office/Service, Commercial Concentration, Government and Semi-Public.

Henrico County wishes to clarify the statement that the “lands will remain as prime agriculture, open space/recreation lands, and environmental protection areas.” The 2026 Comprehensive Plan is a long-term guide for the future land use of the county; we cannot guarantee any parcel of land will remain as it is designated in the Plan, as individual property owners may request, and possibly be granted, a rezoning and use different than the current designation.”

Response: We appreciate Henrico County’s detailed review of our draft CCP/EA. To address all of these comments, we updated the **Land Use** paragraph in chapter 3 in the final CCP as follows (strikeout indicates text removed; underlined text indicates new text):

Land Use

Land use surrounding Presquile NWR currently includes industrial lands to the south and southwest in Chesterfield County; largely agricultural and forested lands to the east in Charles City County; and ~~wetland/agricultural to the west and agricultural/light industrial~~ residential (single family, single family acreage and assisted living), commercial, light industrial, open space-recreation, public, semi-public, public service corporation and vacant lands to the north in Henrico County. Future land use projected for Chesterfield County southwest of the refuge retains industrial lands but also includes a proposed “Bermuda Hundred Park” to the west along the James River and another smaller park to the south along the river (<http://www.co.chesterfield.va.us/>; accessed May 2012). Within Charles City County to the east, lands are proposed as conservation areas (<http://co.charles-city.va.us/>; accessed May 2012), while in Henrico County ~~lands to the west and north~~ lands will be projected to remain as environmental protection area, open space/recreation, prime agriculture, rural residential, suburban residential 1, office, office/service, commercial concentration, government, and semi-public (<http://www.co.henrico.va.us/planning/>; accessed May September 2012). It should be noted that future land use projections are subject to change over time.

Letter ID#:16

Comment: “In the Employment section on page 2-14, Henrico County notes Henrico also has a visitors’ center to promote local tourism.”

Response: We appreciate Henrico County’s detailed review of our draft CCP/EA. The second paragraph in the **Employment** section of chapter 3 has been updated in the final CCP as follows (strikeout indicates text removed; underlined text indicates new text):

In 2005, Forbes Magazine ranked the Richmond area as one of the best places for business and careers in the U.S., primarily due to its highly educated labor force and relatively low business codes. Other areas of the economy that have developed recently include pharmaceuticals, insurance, advertising, biotechnology, education, tourism, health services, and semi-conductors. In 2009, travel and tourism was the fifth largest industry by nonfarm employment in Virginia, with travelers spending \$17.7 billion (VATC 2010). Visitor centers that promote local tourism occur in Henrico County and in the cities of Richmond, Petersburg, and Hopewell.

Letter ID#:16

Comment: “On page 2-16, Henrico County wishes to point out that Richmond National Battlefield Park is located in Henrico County, instead of southeast of Richmond. Additionally, on page 2-18, in discussing Malvern Hill, the County notes this “best preserved Civil War battlefield in central and southern Virginia” is actually located within Henrico County.”

Response: We appreciate Henrico County’s detailed review of our draft CCP/EA. The final paragraph of section 3.8.2 has been updated in the final CCP as follows (strikeout indicates text removed; underlined text indicates new text):

The refuge also contributes indirectly to the economy of Chesterfield County and the Richmond Metropolitan Statistical Area by protecting wildlife habitat, or open space, in perpetuity. ~~Aside from Presquile NWR, other significant public recreational lands in the area include the associated James River NWR (to the east), Richmond National Battlefield Park (southeast of Richmond), Petersburg National Battlefield Park (between Petersburg and Hopewell), and Pocahontas State Park and Resort (south of Richmond).~~ Other significant public recreational lands near Presquile NWR include Federal and State parks in the City of Richmond and Chesterfield, Hanover, Henrico, and Prince George Counties.

Purpose and Need

Conservation Plans

Letter ID#:9

Comment: “If you want increased wildlife habitat, I would refer you to three areas with which you may be familiar. The first is the park at Henricus. Basically it is a swamp and it is a swamp that is uncontrolled. It is what it is and is supported only by the water from rain and the temperatures and weather received during the course of the year. However, come December 1, all kinds of different migratory ducks come through...The point is that this is all in an unmanaged area.

Petersburg National Battlefield is different. It is managed to keep the battlefield itself clean for viewing by tourists. Keep in mind that this area is adjacent to Fort Lee and to Blandford Cemetery on its back side. In the past there have been numerous deer and turkey in that area. At least from what I have seen. The deer come from various areas including some from the cemetery and other areas. They are not hunted and get to grow significantly larger than deer seen in normal areas. I would conjecture in areas that are hunted that the bucks and does seldom get beyond 5 years old...This year the deer population appears to have been reduced. I am not seeing the significant number of fawns and small deer that have been there in the past. This I believe is due to the encroachment of coyotes which pose a significant threat to the newborn and young. In the past there has been a nesting pair of eagles there but I did not attempt to watch that situation this year.

Lastly I would speak about Assateague Island some of which is managed and some of which is not. Depending on when you go you can expect different waterfowl of different types. The water level of the loop is managed to give migratory birds a breeding or feeding area whichever is appropriate...this management area has a lot more room than what you have with Presquile. Only part of it is very actively managed however as I see it. That being the loop and the beach.”

Response: As discussed in section 1.4 of the draft CCP/EA, a wide variety of existing national, regional, and local plans and priority guidance documents directly influenced development of the biological resource management objectives in this draft CCP/EA.

Alternatives

Alternative B: Focus on Species of Conservation Concern (Service-preferred Alternative)

Letter ID#: 2, 3, 4, 5, 6, 12, 15, 17

Comment: The Service received eight letters that indicated support for alternative B, the Service-preferred alternative. Among the reasons stated were the focuses on species of conservation concern, that the alternative would provide more and better habitat for birds, and that they were excited about the changes.

Response: We appreciate support for our preferred alternative. We have recommended alternative B from the draft CCP/EA for implementation, including all of the actions mentioned in these comments. Chapter 4 in the final CCP details our management direction.

Letter ID#: 17

Comment: “The Chesapeake Bay Office of the National Park Service has completed its review of the final draft of the Presquile National Wildlife Refuge Comprehensive Conservation Plan (CCP). We compliment the U.S. Fish and Wildlife Service on an excellent document that will guide the future of the refuge over the next 15 years. We are particularly appreciative of the close coordination of this planning process with the recommendations contained in the Comprehensive Management Plan (CMP) for the Captain John Smith Chesapeake National Historic Trail (CAJO). The CAJO CMP recommendations as well as those from the more specific James River CAJO Segment Plan are appropriately recognized and supported in the draft CCP.

Specifically, the plan does the following: recognizes Presquile as an important site along the Smith Trail; includes language acknowledging the partnership between our agencies in the implementation of Trail recommendations and the Chesapeake Bay Gateways Network; recognizes Presquile as both an Indigenous Cultural Landscape and an evocative landscape for the Trail; provides for access opportunities; and includes appropriate interpretive programming and signage. Each of these elements attest to the close relationship between our agencies in working towards goals of mutual interest. We have greatly appreciated this relationship and look forward to working with the U.S. Fish and Wildlife Service in the implementation of the CCP particularly as it relates to the Captain John Smith National Historic Trail.”

Response: We appreciate the National Park Service’s support for our preferred alternative and the numerous opportunities to participate in local planning efforts related to the Captain John Smith Chesapeake National Historic Trail in recent years. We look forward continued coordination and collaboration as we progress toward meeting our shared responsibilities to protect natural and cultural resources, while also providing for their enjoyment by present and future generations. We have recommended alternative B from the draft CCP/EA for implementation, including all of the actions mentioned in these comments. Chapter 4 in the final CCP details our management direction.

Letter ID#: 6

Comment: “Presquile National Wildlife Refuge is a national treasure and I fully support Alternate B and the efforts to not only preserve but to educate.

Too often we see strategic areas such as this fall prey to development or overuse as a recreational facility. Both of these types of uses significantly tax the natural resources and are unwelcoming to the wildlife who so desperately need a wilderness area where they can live in peace. Alternate B offers a wonderful mix of preserving areas for wildlife and allowing visitor access, but for education and conservation purposes, which will further promote the wilderness/wildlife focus of the island. This is an insightful vision and will hopefully become a model for the preservation of other areas, since the need for this type of wilderness environment is critical.”

Response: We appreciate support for our preferred alternative. Public uses deemed appropriate and found compatible with the National Wildlife Refuge System mission and refuge’s purpose will be conducted to ensure proper control over these public uses and provide management flexibility should detrimental impact develop. Refer to appendix B of the final CCP for additional details regarding public uses on this refuge.

Affected Environment and Impacts

Refuge Physical, Natural, and Biological Resources (General Comments)

Letter ID#: 18

Comment: According to the VMRC, the submerged lands of Turkey Island Cutoff are not State-owned bottom, as they were created from uplands in 1934; however, the historic James River channel is State-owned bottom.

Response: We appreciate the VMRC’s statements on submerged land ownership. The second paragraph of section 3.10.3 has been updated in the final CCP as follows:

The island portion of the refuge is bounded to the north, east, and west by the line of low water along the right shore of the James River; and on the southwest by the centerline of a 1,000-footwide right-of-way for the Turkey Island Cutoff. The USACE has perpetual rights to excavate, cut away, and remove lands in the Turkey Island Cutoff right-of-way and deposit dredge materials at a designated site on the refuge (labeled Area A on map 3.1). Based on a review of current and historic aerial photography, we have estimated that 12 acres of uplands adjacent to the Cutoff have eroded between 1968 and 2009. Although this erosion seems to be within the 500-footwide USACE easement on the refuge, we are concerned that continued erosion of this bank degrades water quality of the Lower James River and Chesapeake Bay, and threatens archaeological resources and refuge facilities.

Letter ID#: 18

Comment: “VMRC did not indicate that implementation of the CCP would be inconsistent with the Subaqueous Lands Management enforcement policy, provided appropriate permits are sought and obtained for actions that may require them.”

Response: We anticipate continuing to consult with the VMRC regarding subaqueous lands management and permitting, as appropriate.

Affected Environment and Impacts

Global Climate Change

Letter ID#: 19

Comment: “While Defenders of Wildlife is not able to submit detailed comments on the Draft CCP for Presquile National Wildlife Refuge, I’d like to alert you to a resource that may be helpful in finalizing the plan. Last year, Defenders developed a set of criteria for evaluating how well climate change is incorporated into CCPs. In addition to summarizing our evaluation of several recent final CCPs, the attached document provides the criteria we used. (This fact sheet is also available on our website at http://www.defenders.org/resources/publications/programs_and_policy/gw/ccp_climate_change_fact_sheet.pdf.) As you finalize the plan for Presquile NWR, I hope you’ll refer to these criteria to ensure that climate change is comprehensively considered and addressed.”

Response: We thank Defenders of Wildlife for providing the climate change criteria. We used the document to review our draft CCP/EA and feel that we adequately addressed climate change. We also look forward to using the criteria to help improve our climate change analysis in future CCPs.

Affected Environment and Impacts

Partnerships (including volunteers)

Letter ID#: 3

Comment: “Maybe we can give two heavy work days - will ask Lori Ando.”

Response: We appreciate offers of volunteer services and look forward to future collaboration on refuge projects.

Letter ID#: 6

Comment: “The ODATC has partnered with Cyrus Brame for years and admire him as a strong advocate for the areas he oversees. Under his guidance, we have worked both on and off of Presquile Island performing a multitude of tasks on Cyrus’ never-ending list. Cyrus’ energy and drive are remarkable in his efforts to coordinate volunteer groups to achieve his vision. He is friendly and considerate, finding tasks for people of all abilities. We really value our relationship with Cyrus and the Eastern Virginia Rivers NWR and look forward to continuing this partnership for years to come.”

Response: We appreciate affirmations that existing refuge staff have created and maintained a cadre of volunteers that enjoy actively engaging in refuge projects. We appreciate past volunteer services and look forward to future collaboration on refuge projects.

Affected Environment and Impacts

Solid Waste Management/Hazmat

Letter ID#: 18

Comment: “Any soil that is suspected of contamination or wastes that are generated must be tested and disposed of in accordance with applicable federal, state, and local laws and regulations.

Any structures being demolished, renovated, or removed should be checked for asbestos-containing materials and lead-based paints. Specific state regulatory provisions apply to these activities.”

[V]DEQ encourages all project managers to reduce waste at the source, re-use materials, and recycle all solid wastes. Additional pollution prevention principles should be followed where appropriate.”

Response: We appreciate these specific comments related to the protection of the natural and human environment. We will consult with the appropriate State agencies to ensure compliance with applicable Federal, State, and local laws and regulations regarding the creation, handling, storage, and transport of waste and hazardous materials. Presquile NWR is one of the refuges included in the “James River Excess to Asset” program created by the Eastern Virginia Rivers NWR Complex staff and recognized by the U.S. Department of the Interior. The program emphasizes reduction, re-use, and recycling of solid waste materials, with over 23,000 pounds of scrap metal having already been repurposed since its inception. We will continue to ensure protection of the natural and human environment in consultation with the State regarding solid waste generation, handling, and management activities.

Affected Environment and Impacts

Air Quality

Letter ID#: 18

Comment: “[V]DEQ’s Division of Air Program Coordination ([V]DEQ-DAPC) and its Piedmont Regional Office ([V]DEQ-PRO) recommend that the Service take all necessary precautions, and follow applicable air quality standards, to reduce or avoid emissions of VOC [volatile organic compounds] during any landscape development, especially during periods of high ozone. Permits may be required for any boilers or fuel-burning equipment.

[V]DEQ-DAPC and [V]DEQ-PRO did not object to the Service’s commitments in the FCD [Federal Consistency Determination] to ensure compliance with the Clean Air Act, follow [V]DEQ guidance on construction design and implementation, and consult with state agencies regarding permit requirements.”

Response: We appreciate these specific comments related to the protection of the natural and human environment. We will consult with the appropriate State agencies and offices to ensure compliance with applicable Federal, State, and local laws and regulations regarding planning and permitting requirements.

Affected Environment and Impacts

Water Resources

Letter ID#: 18

Comment: “VDH-ODW [Office of Drinking Water] reiterated its earlier comments (dated December 27, 2011) regarding the Service’s EA on “Enhancement of Overnight Accommodations for the James River Ecology School at Presquile National Wildlife Refuge” (reviewed under DEQ-11-202F, comments mailed January 25, 2012). VDH indicated that the “Overnight Enhancements” project would not be likely to give rise to impacts to public drinking water sources, and specified the following:

- No groundwater wells are within a 1-mile radius of the project site.
- The Virginia American Water Company/Appomattox River surface water intake is located within a 5-mile radius of the proposed project.
- The project does not fall within Zone 2 (greater than 5 miles into the watershed) of any public surface water sources.
- The expected increase in visitation would classify the James River Ecology School as a public waterworks and may require construction of a new well.”

Response: We appreciate these specific comments related to the protection of the natural and human environment. We will consult with the appropriate State agencies and offices to ensure compliance with applicable Federal, State, and local laws and regulations regarding planning and permitting requirements.

Affected Environment and Impacts

Point Source Pollution

Letter ID#: 18

Comment: “[V]DEQ’s Office of Wetlands and Stream Protection does not anticipate that implementation of the Comprehensive Conservation Plan would result in any negative impacts to wetlands, streams, or other water resources. Rather, implementation is likely to result in beneficial effects to water quality because of proper management of the Refuge and its resources.”

Response: We appreciate these specific comments related to the protection of the natural and human environment. We will consult with the appropriate State agencies and offices to ensure compliance with applicable Federal, State, and local laws and regulations regarding planning and permitting requirements.

Letter ID#: 18

Comment: “[V]DEQ’s Piedmont Regional Office recommends that erosion and sediment controls should be properly implemented and maintained throughout any construction to protect water quality. These controls should be inspected before and after rain events. [V]DEQ also recommends maximizing pervious surface areas and green spaces in the construction design to reduce runoff and the environmental impacts associated with urban runoff.”

Response: We appreciate these specific comments related to the protection of the natural and human environment. We will consult with the appropriate State agencies and offices to ensure compliance with applicable Federal, State, and local laws and regulations regarding planning and permitting requirements.

Affected Environment and Impacts

Nonpoint Source Pollution

Letter ID#: 18

Comment: “The Service and its authorized agents conducting regulated land-disturbing activities on private and public lands in the State must comply with the Virginia Erosion and Sediment Control Law and Regulations (VESCL&R), Virginia Stormwater Management Law and Regulations including coverage under the general permit for stormwater discharge from construction activities, and other applicable Federal non-point source pollution mandates (e.g., section 313 of the Clean Water Act, Federal Consistency under the Coastal Zone Management Act). Clearing and grading activities, installation of staging areas, parking lots, roads, buildings, utilities, borrow areas, soil stockpiles, and related land-disturbance activities that result in the disturbance of a land area equal to or greater than 2,500 square feet would be regulated by VESCL&R. Accordingly, the Service must prepare and implement an erosion and sediment control (ESC) plan to ensure compliance with state law and regulations. The ESC plan is to be submitted to the DCA Regional Office that serves the area where the project is located for compliance review (see “Regulatory and Coordination Needs,” item 2, below). The applicant is ultimately responsible for achieving project compliance through oversight of on-site contractors, regular field inspection, prompt action against non-compliant sites, and other mechanisms consistent with agency policy. [Reference: Virginia Erosion and Sediment Control Law, Virginia Code §10.1-567.]

The operator or owner of construction activities involving land-disturbing activities equal to or greater than 2,500 square feet in areas designated as subject to the Chesapeake Bay Preservation Area Designation and Management Regulations adopted pursuant to the Chesapeake Bay Preservation Act is required to register for coverage under the General Permit for Discharges of Stormwater from Construction Activities and develop a project-specific stormwater pollution prevention plan (SWPPP). The SWPPP must be prepared prior to submission of the registration statement for coverage under the general permit. It must address water quality and quantity in accordance with the Virginia Stormwater Management Program (VSMP) Permit Regulations. General information and registration forms for the General Permit are available on OCR’s website at <http://www.dcr.virginia.gov/soil> and [water/index.shtml](http://www.dcr.virginia.gov/water/index.shtml) [Reference: Virginia Stormwater Management Law, Virginia Code §10.1-603.1 et seq.; VSMP Permit Regulations, 4 VAC 50 et seq.]”

Also, DCR did not indicate that implementation of the CCP would be inconsistent with the Non-point Source Pollution Control enforcement policy of the Virginia Coastal Program (VCP), provided appropriate authorizations are sought and obtained for actions that may require them.

Response: We appreciate these specific comments related to the protection of the natural and human environment. We will consult with the appropriate State agencies and offices to ensure compliance with applicable Federal, State, and local laws and regulations regarding planning and permitting requirements.

Affected Environment and Impacts

Wastewater

Letter ID#: 18

Comment: “The CCP would be consistent with the shoreline sanitation enforceable policy provided the Service complies with applicable regulations for on-site septic systems. For clarification of these comments or for additional comments, contact the office of Environmental Health at VDH.”

Response: We appreciate these specific comments related to the protection of the natural and human environment. We will comply with applicable Federal, State, and local laws and regulations regarding planning and permitting requirements.

Affected Environment and Impacts

Wetlands

Letter ID#: 18

Comment: “[V]DEQ’s OWSP [Overall Water System Plan] does not anticipate that implementation of the Comprehensive Conservation Plan would result in any negative impacts to wetlands, streams, or other water resources. Rather, implementation is likely to result in beneficial effects to water quality because of proper management of the Refuge and its resources.”

Response: We appreciate these specific comments related to the protection of the natural and human environment. We will consult with the appropriate State agencies and offices to ensure compliance with applicable Federal, State, and local laws and regulations regarding planning and permitting requirements.

Letter ID#: 18

Comment: “[V]DEQ’s Piedmont Regional Office recommends that the Service undertake all necessary efforts to protect adjacent wetlands and waterways from adverse effects of activities proposed or undertaken pursuant to the CCP. The Service should obtain all appropriate State and Federal permits from the [Virginia] Department of Environmental Quality, Virginia Marine Resources Commission, and/or Army Corps of Engineers before undertaking activities affecting the local environment (see “Regulatory and Coordination Needs,” item 1, below). The CCP/EA indicates that erosion and sediment controls will be properly implemented and maintained throughout any construction (page 4-10, section 4.4.1).

The Marine Resources Commission (VMRC) indicates that permits may be required from the VMRC, acting as the Chesterfield County Wetlands Board, pursuant to the Tidal Wetlands Act (Virginia Code Chapter 13 of Title 28.2 (sections 28.2-1300 et seq.). Virginia Code section 28.2-1300 defines tidal wetlands as “... lands lying contiguous to mean low water and between mean low water and mean high water” The Code defines vegetated wetlands as “... lands lying between and contiguous to mean low water and an elevation above mean low water equal to the factor one and one-half times the mean tide range at the site of the proposed project.”

If wetlands are to be affected by any of the proposed activities, wetlands at the site must be delineated in accordance with the U.S. Army Corps of Engineers' 1987 Wetlands Delineation Manual. The wetland delineation must be approved by the U.S. Army Corps of Engineers. The project must demonstrate compliance with Section 404 (b)(1) guidelines of the Clean Water Act and with the Commonwealth's wetlands mitigation policies. Both Federal and State guidelines recommend avoidance and minimization of wetlands impacts as the first steps in the mitigation process. The unavoidable impacts to State waters may require compensation such as wetland creation, restoration, or other acceptable forms of wetland compensatory mitigation.

Provided all necessary permits are secured prior to land disturbance, [V]DEQ and VMRC would not object to the Service's determination that the CCP would be consistent with the Wetlands Management enforceable policy of the VCP"

Consolidated Response: We appreciate these specific comments related to the protection of the natural and human environment. We will consult with the appropriate State agencies and offices to ensure compliance with applicable Federal, State, and local laws and regulations regarding planning and permitting requirements.

Affected Environment and Impacts

Historic/Cultural Resources

Letter ID#: 18

Comment: "[V]DHR has been in consultation with the Service regarding the CCP and asks that the Service continue to consult directly with [V]DHR. Federal agencies are required by the National Historic Preservation Act to consider the effects of their undertakings on historic properties. See "Regulatory and Coordination Needs," item 3, below."

Response: We appreciate these specific comments related to the protection of the natural and human environment. We will consult with the appropriate State agencies and offices to ensure compliance with applicable Federal, State, and local laws and regulations regarding planning and permitting requirements.

Letter ID#: 18

Comment: "[V]DCR supports the protection and enhancement of the natural heritage resources and associated habitat documented at the Presquile National Wildlife Refuge, as well as the active control of invasive species therein. However, some of the restoration and/or enhancement activities described in the draft CCP may affect natural heritage resources."

Response: We appreciate these specific comments related to the protection of the natural and human environment. We would consult with the appropriate State agencies and offices to ensure compliance with applicable Federal, State, and local laws and regulations regarding planning and permitting requirements.

Affected Environment and Impacts

Vegetation

Letter ID#: 11

Comment: "I think that a reasonable segment of the grassland should be retained as night roosting for woodcock, quail, etc. Woodcock management typically (FWS recommendations) calls for a minimum size grass/old field stand of 5 acres, and obviously more than that could be carved from the 300 acres. Location is not critical in the Presquile case, as a field less than 1/4 mile from daytime habitat is OK (further distance > > predation markedly). I would suggest carving out a 10-acre (or two 5-acre blocks) that have the best chance of remaining without or with less noxious weed infestation (johnsongrass & canada thistle free areas, if such remain). Otherwise, select the less infested areas."

Response: We recognize interest in offering habitat for American woodcock and quail. Although quail was not identified as a priority species to be managed at Presquile NWR, American woodcock is among the priority species to be managed at this refuge. We believe that approximately 197 acres of the refuge's existing grassland habitat will contribute to breeding and migrating habitat for birds of conservation concern that use early successional forest habitat while in transition to mature forest during the next 15 years. Birds of conservation concern that are expected to benefit include prairie warbler, field sparrow, American woodcock, and northern bobwhite, as well as to sustain other native plants and wildlife. Additionally, we would begin implementing the strategies identified in the CCP upon approval of the plan, including monitoring and evaluation processes to determine if we are making progress in achieving the refuge's purpose, vision, goals, and objectives. Through adaptive management, evaluation of monitoring and research results may indicate the need to modify refuge objectives or strategies. We will revise the CCP every 15 years thereafter, or earlier, if monitoring and evaluation determine that we need changes to achieve the refuge's purpose, vision, goals, or objectives (602 FW 3).

Affected Environment and Impacts

Transitional Mixed Mesic Forest

Letter ID#: 8

Comment: "What I call "Big Woods" or old growth woods are not good for deer in that there is minimal low growth to feed on. Some of the land probably needs to go back to wild wood growth. This would give the low growth needed for game such as deer, and would encourage squirrels, racoons, possum, fox, etc."

Response: We recognize interest in providing habitat for deer, squirrels, raccoons, opossum, and foxes. Although none of these species were identified as priority species to be managed at Presquile NWR, we believe that converting 177 acres of grassland through a combination of planting and natural succession to a shrubby transitional mixed mesic forest would increase habitat connectivity between the mature mixed mesic forest and tidal swamp forest habitats of the refuge and provide corridors for travel and movement for certain mammals, namely benefitting the larger mammals which could hide more readily. Increased knowledge and understanding of mammal populations resulting from various surveys and inventories conducted under alternative B will help us better quantify the status and trends of mammals on the refuge.

Letter ID#: 11

Comment: "By all means, include native shrubs in the mix as you nudge the grassland toward a woody mesic climax. Planted in blocks or thickets, they will have the highest value. I would suggest: indigobush, silky and other shrub dogwoods, arrowwood and other viburnums among the mix. Black gum is an often overlooked tree that has outstanding wildlife value as well as scenic value with it flame red leaves in fall that deserves inclusion in your plantings."

Response: As indicated in the plan, we will encourage this succession process and assist it as much as possible by planting native tree and shrub species and controlling invasive species.

Letter ID#: 2

Comment: "Like the balance of providing grassland for educational area and providing vista for river and converting the rest to forestland."

Response: We appreciate support for our preferred alternative. Maintaining a visual connection to the river and historic land uses are important elements of the educational and interpretive programming for refuge visitors.

Letter ID#: 5

Comment: “In the past, I supported the idea of grassland on Presquile to help the grassland bird species, and there was a 200-acre area with potential to help species of concern. But with USFWS budget restraints, it is not possible to rid the area of all the invasive plants esp[ecially] Johnson grass. If we had the manpower, then it would be very important to convert this area to grassland. However, current monies do not support this very beneficial idea and therefore, I support the conversion of that area to a landscape with trees.”

Response: We appreciate support for our preferred alternative. We also appreciate acknowledgement of our budgetary and staffing constraints related to maintaining 200 acres of native grassland for the benefit of native wildlife.

Affected Environment and Impacts

Grassland

Letter ID#: 12

Comment: “I am against converting 200 AC of grassland into forest. I feel that the grassland habitat is crucial for species such as Bobwhite and Dickcissel. There is very little of this habitat available.”

Response: We appreciate concerns regarding conversion of the refuge’s 200 acres of grassland to forest, as well as general concern about grassland bird habitat availability. As detailed in the draft CCP/EA, the refuge’s 200 acres of grasslands offer only marginal habitat for most grassland birds of conservation concern and we have been unsuccessful in our numerous attempts to improve its quality. We considered improving habitat conditions by converting the introduced, cool season grasses to a mixture of native warm season grasses and forbs. However, we subsequently determined that we do not have the resources to do the required extensive site preparation in the near term, such as multiple herbicide applications, seeding, and mowing to control invasive species and establish native vegetation.

Based on consultation with wildlife experts and our best professional judgment, we have determined that the refuge’s grasslands would continue to benefit migratory bird species (including American woodcock, northern bobwhite, prairie warblers, and field sparrow) as they progress toward transitional mixed mesic forest over the next 10 to 15 years. Other sites within Virginia offer higher quality grasslands that support populations of nesting grassland birds. Among these sites are the artillery impact areas on three military bases (Quantico, Fort A.P. Hill, and Fort Pickett; battlefields at various National Park System units (e.g., Malvern Hill unit of Richmond National Battlefield Park), and agricultural fields of historic plantations (e.g., Shirley, Berkeley) (http://www.dcr.virginia.gov/natural_heritage/grassland.shtml).

Letter ID#: 8

Comment: “I would offer that the area near the viewing tower be kept in grass. The Battlefield lets it grow about 12 to 18 inches high before it cuts it. This area would encourage deer.”

Response: We plan to allow natural succession to occur on grasslands for the benefit of priority species whose habitat needs benefit other species of conservation concern that are found around the refuge and in the larger landscape of the lower James River. In particular, we will emphasize habitat for priority birds identified in bird conservation region 30 (such as migratory waterfowl, waterbirds, mature forest dependent birds), as well as other priority refuge resources of concern, including the federally endangered Atlantic sturgeon and federally threatened sensitive joint-vetch. The complete list of priority species for this refuge is listed in appendix A. White-tailed deer are not among the species of concern for this refuge.

Letter ID#: 8

Comment: “The southwest area could be in low browse type bushes and plants and would encourage rabbits, deer, and if the bushes had berries a variety of songbirds.”

Response: We emphasize the management of specific refuge habitats to support priority refuge species whose habitat needs benefit other species of conservation concern that are found around the refuge and in the larger landscape of the lower James River. The complete list of priority species for this refuge is listed in appendix A, which does include a variety of songbirds. Rabbits and deer are not among the species of concern for this refuge.

Affected Environment and Impacts

Invasive Species Control

Letter ID#: 1 and 11

Comment: We received two comments on the herbicide Plateau. One respondent wrote, “Plateau can be used to improve the open “grassland” in the interim as the land reverts “under guidance” to mesic forest.” The second wrote, “I mentioned Plateau as a desirable herbicide that can impact johnsongrass (not sure how canada thistle reacts to it, but the extensive label would tell you), kill fescue (useless for wildlife) and give broomsedge and other desirable natives a chance to emerge/expand. I would consider applying it in strips as you will lose some ground cover. You will have a lot more pollinators in the Plateau-sprayed areas. Speaking of pollinators, a case could be made for not harming the canada thistle as it does have high pollinator usage (don’t tell anyone I said that canada thistle should be encouraged, but this one aspect is true). The other value of Plateau might be an increase in woodland species establishment as some of the sod-bound fescue is opened up. You may wish to use it adjacent to the woody plantings and mature woodland edges to encourage a stair-step field border.”

Response: As a general rule regarding herbicide use on refuges, only herbicides approved by the regional contaminants coordinator will be used in accordance with the approved rate and timing of application. Currently, the refuge uses the following chemicals to treat invasive species, when resources allow: Garlon 4, Glypro, and Plateau.

Letter ID#: 1

Comment: “Good move to control the ailanthus et al. woody pests.”

Response: We appreciate support for our efforts to control invasive plants.

Letter ID#: 11

Comment: “Worrying overly about johnsongrass and canada thistle on that island, and in a setting where the ground is going to woodland cover seems senseless. As crown cover, these plants will decline. They are open land species that do not thrive under shade. I can even imagine the environmental instructors pointing out to the students/visitors the mess that such species can create as they show them a dense stand of canada thistle--and if you wage war on them, you have no “teachable moment” to share. And then explain that your m[ana]lg[emen]t. will reduce their vigor over the next few years. Save the \$\$\$ on expensive herbicides.”

Response: We appreciate support for our proposed reduction of herbicide applications resulting from a decreased need to control shade-intolerant plant species as the grassland succeeds to forest. We will continue to maintain approximately 46 acres of existing, managed grassland around the administrative and educational complex to provide opportunities to integrate small projects (e.g., a pollinator garden and BayScaping with native plants) into the expanded environmental education programs.

Letter ID#: 11

Comment: “I commend you assault on Ailanthus. In the past dozen years nothing has halted or destroyed more intentional wildlife habitat management (or made such undesirable to undertake) in Virginia than Ailanthus. A few trees on a field border will contaminate an entire field as the wind blows on a nice fall day, seeding down a whole field! It is an absolute must to control Ailanthus before undertaking any significant ground disturbance/management. I can show you enough such examples to make you sick. Black locust is a native, and may not deserve quite as significant an effort at control. But eliminating Ailanthus would be VERY desirable!”

Response: We appreciate support for our efforts to control invasive plant species.

Affected Environment and Impacts

Wildlife

Letter ID#: 1 and 11

Comment: We received two letters on our proposal to allow grasslands to succeed to forest. One respondent wrote, “The grassland conversion will result in a sink for the successional species mentioned. This should be acknowledged as a native for this significant guild.” The second wrote, “It is only honest to admit that the grassland conversion will result in an ecological sink as you attract young forest species into the 300 acres and then, over time, watch that turn to forest. The species that have been attracted will drop out, so claiming attracting/enhancing them is somewhat ingenuous.”

Response: Implementation of monitoring and evaluation processes will be initiated upon approval of the plan. We aim to assess progress made toward achieving the refuge’s purpose, vision, goals, and objectives. Through adaptive management, evaluation of monitoring and research results may indicate the need to modify refuge objectives or strategies. We will revise the CCP every 15 years thereafter, or earlier, if monitoring and evaluation determine that we need changes to achieve the refuge’s purpose, vision, goals, or objectives (602 FW 3).

Letter ID#: 18

Comment: “[V]DGIF made several recommendations concerning the CCP in its May 29, 2012 correspondence (enclosed). The Service has addressed these in the Draft CCP/EA now under review.”

Response: We appreciate that VDGIF verified we adequately addressed comments on the early draft and that VDGIF staff served on our core planning team throughout the process.

Letter ID#: 18

Comment: “[V]DGIF recommended that the Service manage for some early successional habitats (approximately 200 acres of grasslands, according to the public meeting presentations; Ellis/Ewing, 8/8/12) at the Refuge that are not considered part of preferred Alternative B. A number of Virginia’s Species of Greatest Conservation Need, as described in Virginia’s Wildlife Action Plan, depend on these habitats for survival. Such habitats appear to be in great decline across the Commonwealth, according to [V]DGIF. However, [V]DGIF indicates that allowing the area to revert to forests through natural succession is not harmful to wildlife.”

Response: We appreciate that VDGIF recognizes that allowing natural succession to occur on our 200 acres of marginal quality grasslands is not harmful to wildlife and that grassland habitats are in decline in the Commonwealth. We believe that approximately 197 acres of the refuge's existing grassland habitat will contribute to breeding and migrating habitat for birds of conservation concern that use early successional forest habitat while in transition to mature forest during the next 15 years. Birds of conservation concern that are expected to benefit include prairie warbler, field sparrow, American woodcock, and northern bobwhite, as well as to sustain other native plants and wildlife. Additionally, we would begin implementing the strategies identified in the CCP upon approval of the plan, including monitoring and evaluation processes to determine if we are making progress in achieving the refuge's purpose, vision, goals, and objectives. Through adaptive management, evaluation of monitoring and research results may indicate the need to modify refuge objectives or strategies. We will revise the CCP every 15 years thereafter, or earlier, if monitoring and evaluation determine that we need changes to achieve the refuge's purpose, vision, goals, or objectives (602 FW 3).

Letter ID#: 18

Comment: "[V]DGIF provided a species list of 506 species under the agency's jurisdiction which should be referred to in updating Appendix A of the CCP/EA. [V]DGIF's recommendations in regard to this listing have been adopted by the Service in its presentation of the species list in appendix A of the Draft CCP/EA."

Response: We appreciate that VDGIF verified that we had adequately incorporated that information provided in appendix A of the draft CCP/EA. This list was included as appendix A in the final CCP.

Letter ID#: 18

Comment: "With regard to protection and management of listed plants and insects, [V]DGIF does not have regulatory authority, and recommends that the Service coordinate with the [Virginia] Department of Conservation and Recreation's Division of Natural Heritage instead."

Response: We appreciate these specific comments related to the protection of the natural and human environment. We will consult with the appropriate State agencies to ensure compliance with applicable Federal, State, and local laws and regulations regarding planning and permitting requirements.

Letter ID#: 8

Comment: "I read the article in the paper today on what the National Wildlife Service wants to do with the island. I am not sure I understand everything I am supposed to understand. If the purpose is to create a wildlife habitat to encourage wildlife's use of the area I don't think either plan really works. Keep in mind that I am not a professional wildlife management person but I do photograph wildlife and know what I see."

Response: We encourage public review of our planning documents to gain a better understanding of our planning process and refuge management goals. We consulted with a variety of wildlife experts throughout the planning process; chapter 5 of both the draft CCP/EA and final CCP provide a summary of our coordination and consultation with others. Based on their input and our professional judgment, we concluded that alternative B (the Service-preferred alternative) meets the purpose of the refuge, which is for "use as an inviolate sanctuary, or for any other management purpose, for migratory birds," better than alternative A.

Affected Environment and Impacts

Species of Conservation Concern

Letter ID#: 8

Comment: "Eagles seem to like large pines where they can build a nest of significant size."

Response: Despite the lack of large pine trees on the refuge, eagles have successfully nested on the refuge in other trees.

Letter ID#: 18

Comment: “[V]DCR recommends that updated surveys be conducted for rare, threatened, and endangered species and natural communities which may be affected by activities undertaken under the Plan. Surveys for sensitive joint-vetch should be conducted from August 15 to October 15. At this time the plant is in flower or fruit and has attained some stature making it more visible during the surveys, which are typically conducted from a boat. Due to the legal status of the sensitive joint-vetch, [V]DCR also recommends coordination with FWS Virginia Field Office to ensure compliance with protected species legislation.”

Response: We appreciate these specific comments related to the protection of the natural and human environment. We will consult with the appropriate agencies and offices to ensure compliance with applicable Federal, State, and local laws and regulations regarding surveys, planning, and permitting requirements. We identified conducting surveys for special status species and natural communities as a strategy of alternative B, under objective 1.2 and to protect freshwater wetland habitats and vegetation in both the draft CCP/EA and final CCP.

Letter ID#: 18

Comment: “If applicable, due to the legal status of the bald eagle, [V]DCR recommends coordination with the [Virginia] Department of Game and Inland Fisheries ([V]DGIF), Virginia’s regulatory authority for the management and protection of this species, to ensure compliance with the Virginia Endangered Species Act (Virginia Code sections 29.1-563 through 29.1-570).”

Response: We appreciate these specific comments related to the protection of the natural and human environment. We would consult with the appropriate agencies and offices to ensure compliance with applicable Federal, State, and local laws and regulations regarding surveys, planning, and permitting requirements. We detailed our current bald eagle management and interagency coordination efforts in various sections of both the draft CCP/EA and final CCP.

Letter ID#: 18

Comment: “Due to the legal status of the Atlantic sturgeon, [V]DCR recommends coordination with FWS Virginia Field Office to ensure compliance with protected species legislation.”

Response: We determined that the CCP would have no effect on Atlantic sturgeon and consulted with both our Ecological Services Office and the National Oceanic and Atmospheric Administration. No additional coordination is required under the Endangered Species Act.

Letter ID#: 18

Comment: “New and updated information is continually added to [V]DCR’s Biotics Data system. FWS is encouraged to contact [V]DCR for updated information if a significant amount of time passes before the foregoing information is used.”

“The [Virginia] Department of Game and Inland Fisheries ([V]DGIF) maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters that may contain information not documented in this letter.”

Response: We appreciated being informed of the availability of biotic data and will consult the [V]DCR as warranted.

Affected Environment and Impacts

Environmental Education – Student Participation

Letter ID#: 3

Comment: “Notify schools (public and private) of new plan. Go slow.”

Response: We appreciate support for public outreach efforts. As stated in both the draft CCP/EA and final CCP, we will work closely with the James River Association (JRA) to develop an outreach plan to pique interest from urban and underserved schools that will benefit from programs offered.

Letter ID#: 8

Comment: “As to lodging for students, I would only consider a lodge for about 40 to 50 students and staff and make sure these are college level students that have the legitimate interest in wildlife management. I don’t know if this makes sense or not but I know VCU [Virginia Commonwealth University] does some work on the James River and if you thought it appropriate, you could have a 10-bed unit for those students and staff that spend a significant amount of time on the river and island devoted specifically to them to assist you and the Wildlife Service in its objectives.”

Response: We have been working closely with the JRA to create the Ecology School, a residential environmental education program on the refuge. The Ecology School offers students a welcoming, safe, and accessible environmental education program that incorporates a variety of hands-on opportunities to enjoy, learn about, appreciate, and participate in efforts to conserve America’s wildlife, with a special emphasis on the Chesapeake Bay and the James River watershed. Facilities that support operation of the Ecology School at Presquile NWR include the environmental education center, bunkhouse (construction initiated in summer 2012), tidal swamp forest boardwalk, trail network, observation platform, and boat docks. In 2012, the Service approved a FONSI for the construction of a bunkhouse for overnight stays by the Ecology School participants (USFWS 2012b). The sustainably designed and Americans with Disabilities Act-accessible bunkhouse will offer safe, familiar, comfortable, and dependable shelter for up to 36 people. Construction began in the summer of 2012, and it will be used in accordance with the terms and conditions agreed to by the Service and JRA.

Affected Environment and Impacts

Hunting

Letter ID#: 7, 12, 15

Comment: We received three general comments on our proposed hunting program. The first commenter wished to see expanded hunting, writing that, “Additional hunting is okay with me, especially of Deer.” The second and third were against hunting. The second stated that they “Disagree with increased hunting days and eliminate any idea of turkey hunting! It would be terrific to have no hunts for any animal.” The third said “I am totally opposed to the shotgun deer massacre planned for the fall...A refuge is not one where deer are slaughtered by 120 hunters. This slaughter needs to be stopped.”

Response: We appreciate the diversity of opinions regarding wildlife hunting opportunities on refuges. Hunting was identified in the National Wildlife Refuge System Improvement Act of 1996 as one of the six priority wildlife-dependent public uses of national wildlife refuges. Each of the six priority public uses receives priority consideration in refuge planning and management.

As detailed in both the draft CCP/EA and final CCP, Presquile NWR has been open to public deer hunting since 1967. Past and present refuge management has emphasized that the objectives of the public deer hunting are to maintain the deer population at a level commensurate with the biological carrying capacity of the available refuge habitat and to provide high quality wildlife-dependent recreation. After careful evaluation of public deer hunting on the refuge, the refuge manager has reaffirmed that public deer hunting is compatible with, and does not materially detract from, the purpose and intent of the refuge.

We also considered closing the refuge to public deer hunting in the draft CCP/EA. However, we determined that closing the refuge to public deer hunting does not meet the purpose, need, goals, or objectives of the draft CCP/EA. Additionally, since the refuge was previously opened for public deer hunting as a public use that was accounted for in prior refuge planning documents and policies, closing the refuge to public deer hunting was not carried forward for further analysis.

We acknowledge that additional planning and analysis will be necessary to evaluate potential expansions of the refuge's hunting program. Among the options to be considered are opening the refuge to turkey hunting and offering youth opportunities to participate in deer and/or turkey hunting.

Letter ID#: 4

Comment: "I'm concerned about adding 2 more days of hunting."

Response: We propose to extend the number of hunt days from 3 to 5 annually. Neither the total number of hunters nor bag limits would change as a result of offering hunting on 5 days annually. However, the refuge would be closed to all other public uses on public deer hunting days.

Affected Environment and Impacts

Deer Hunting

Letter ID#: 9

Comment: "Not sure about how Prequile Island is set up but I understand the state has offered quota deer hunting on the island for years. So a system is in place."

Response: We encourage public review of our planning documents to gain a better understanding of refuge management and services provided. Chapter 3 of the final CCP provides an overview of the existing hunt program.

Affected Environment and Impacts

Fishing

Letter ID#: 18

Comment: "In its May 29, 2012 correspondence, [V]DGIF made several recommendations concerning the CCP, and the Service has addressed these in the Draft CCP/EA now under review.

[V]DGIF recommended deleting the earlier reference to a coldwater fishery in the CCP/EA, because there is no coldwater fishery at the Refuge; the adjacent James River is a warmwater fishery. The correction has been made in the version under review (page 4-26, item 4.11)."

Response: We appreciate that VDGIF verified that we had adequately incorporated in the draft CCP/EA. These changes have been carried through into the final CCP.

Letter ID#: 18

Comment: "According to the Department of Health, implementation of the CCP will not affect shellfish growing waters...[V]DGIF, VMRC, and VDH did not object to the Service's determination that the CCP is consistent with the Fisheries Management enforceable policy of the VCP"

Response: We appreciate support for our preferred alternative.

Affected Environment and Impacts

Non-Motorized Use

Letter ID#: 14

Comment: “I would like to see kayak access permission include access to launch from the ferry dock. The easy answer is that this cannot happen because Presquile doesn’t own the land, but it DOES happen on certain occasions. A nice canoe/kayak dock has been built on Presquile, but what is being done to make it actually of use?”

Response: We appreciate interest in non-motorized water access. The Service has an existing, 30-footwide access easement on the mainland, at the Philip Morris USA Park 500 property, located to the south of the refuge. The easement provides the Service and authorized personnel to use an unimproved gravel road and the cable ferry’s mainland terminal to access the refuge. Although closed to the general public, the Service and Philip Morris USA have maintained a good working relationship over the years regarding safety, security, and maintenance of the existing facilities and use of the site as a meeting location for refuge staff, partners, and visitors. We are currently investigating options for improving the refuge’s transportation facilities.

The National Park Service published the “Draft Chesapeake Bay Watershed Public Access Plan” for public review and comment in July 2012. The Public Access Plan identifies specific opportunities for expanding the number of places for people to access the water, including interest in creating a public access sites in the vicinity of Presquile NWR (http://www.baygateways.net/publicaccess/Public_Access_Plan_v6%20reduced%20size.pdf).

We anticipate coordinating closely with Philip Morris USA, the National Park Service, and others regarding public use facilities in the refuge vicinity.

Attachments and Scope

Virginia Coastal Zone Management Program

Letter ID#: 18

Comment: “Based on our review of the federal consistency determination, dated March 26, 2012 (FCD) (Appendix E of the CCP/EA), and the comments submitted by agencies administering the applicable enforceable policies of the VCP, VDEQ concurs that the CCP is consistent, to the maximum extent practicable, with the Virginia Coastal Zone Management Program (VCP), provided any applicable permits and approvals are obtained as described below. However, other state approvals which may apply to CCP implementation are not included in this consistency concurrence. Therefore, the Service must ensure that the CCP is implemented in accordance with all applicable Federal, State, and local laws and regulations.”

Response: We appreciate the VDEQ’s coordination of the Commonwealth’s review of our proposal and guidance to ensure the protection of coastal resources and uses. To ensure consistency with the enforceable policies of the VCP, we will continue to coordinate and consult with Federal, State, and local agencies to acquire all applicable permits and approvals prior to project implementation.

Attachments and Scope

Out of Scope

Letter ID#: 9, 10, and 13

Comment: We receive the following three comments on waterfowl hunting:

- “We here in VA need to have more spots available to equally enjoy the sport of waterfowling, but we have serious problems with the system of “hunting public water on the eastern side of our state”. Speaking for myself, would recommend it be set up & offered as yet another place the state offered thru our Quota hunting. I realize that you guys don’t have the manpower you once did and that would /could be a problem..... I apply for and hunt Hog Island each year and, while labor intensive for John and his guys, it is well run and provides us with great waterfowling opportunities and everyone has an equal opportunity when we show up at the gate. I also hunt Dutch Gap, which has “blind stakes” and we are allowed to show up and hunt, easy as that....

Also a good system for the waterfowler and seems to require a lot less overall for you guys, may that could be applied here? Tow options and hope the Island is made available to the waterfowling public, but I can only hope it can be enjoyed by all and not just [a] few.”

- “I would like to comment on the Presquile NWR’s draft CCP/EA. I would like to support to possibility of opening the refuge for waterfowl hunting. There is currently limited public access for waterfowl hunters in this area and it would be a great addition to have as a public hunting option in Virginia.”
- “I would like to request that waterfowl hunting be added to the available hunting allowed on Presquile Island. The properties of the NWR end at the water’s edge. Since the NWR is a riparian owner, the refuge could build, or better yet, have a local waterfowl org chapter build riparian blinds in the PUBLIC WATER for the NWR. The blinds would be open to the public on a first come first served or a lottery system similar to Hog Island. The NWR could determine the frequency the blinds could be hunted. Because the blinds would be in the river and not on property they would not be violating the deed of waterfowl hunting on NWR property. Could be a win win. NWR is utilizing another one of their core principles (provide hunting) and hunters have another public spot.”

Response: We appreciate the diversity of opinions regarding wildlife hunting opportunities on refuges. Hunting was identified in the National Wildlife Refuge System Improvement Act of 1996 as one of the six priority wildlife-dependent public uses of national wildlife refuges. Each of the six priority public uses receives priority consideration in refuge planning and management.

We updated the first sentence of chapter 3 under the Lands discussion, in section 3.10.3, in the final CCP as follows:

In accordance with Mr. A.D. Williams’ will, the lands donated for “the purpose of conservation, protection, replenishment, and propagation of game birds, game animals, fish and other wildlife” were used to establish Presquile NWR in March 1953.

In support of the refuge’s purpose, the Secretary of the Interior designated certain lands and waters adjacent to Presquile NWR as areas closed to waterfowl hunting on April 22, 1954.

Table F.1. Letter ID Numbers and Respondents

Letter ID Number	Name	Organization
1	Steve Capel	
2	Heather Barrar	Chesterfield Planning Department
3	Fran Leckie	
4	Peggy L. Combs	Old Dominion Appalachian Trail Club (ODATC)
5	John M. Roberts	
6	Lori Ando	ODATC Trail Maintenance Chairperson
7	Jean Public	
8	George Gotschalk	
9	Joe Harris	
10	William Coward	
11	Stephen Capel	
12	Paul Bedell	
13	David L. Whipp II	
14	Ann Lankey	
15	Chris Barker	Old Dominion Appalachian Trail
16	R. Joseph Emerson	Henrico County Planning Department
17	Jonathan L. Doherty	National Park Service, Chesapeake Bay Office
18	Ellie L. Irons	Virginia Department of Environmental Quality
19	Julie Kates	Defenders of Wildlife